App. F. IX-4.

Previous References
in 1939 (1-6)

1939.
(21)
Legis

File No. 53 -
Serial Nos.

Later References.

PRESERVED
28

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One only

A
Part ~~B~~ for March 1940.

SUBJECT.

Act to provide for the imposition of restrictions on foreigners

No. P. 6139 dy 9.3.40 Compilation, Mysore Gazette Notification publication of the Act No. XVI of 1940

WD 0573—GPB—22,500—12-9-39

B.B. Shankara
11.4.1940.

NOTIFICATION

Order No. P. 6139—*Legis.* 52-39-1, *dated*
Bangalore, the 9th March 1940.

Ordered that the accompanying Act to provide for the imposition of restrictions of foreigners which received the assent of His Highness the Maharaja, on the 2nd day of March 1940, be published as Act No. XVI of 1940, in the *Mysore Gazette* for general information.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

ACT No. XVI OF 1940.

THE MYSORE FOREIGNERS ACT, 1940.

An Act to provide for the imposition of restrictions on foreigners.

(*Received the assent of His Highness the Maharaja on the 2nd day of March* 1940.)

WHEREAS it is expedient to provide for the imposition of restrictions on the entry of foreigners into Mysore, their presence therein and their departure therefrom;

His Highness the Maharaja is pleased to enact as follows:—

Short title and extent.

1. (*1*) This Act may be called the Mysore Foreigners Act, 1940.

(*2*) It extends to the whole of Mysore.

Definitions.

2. In this act—

(*a*) "foreigner" has the meaning assigned to it in the Indian Foreigners Act, 1864, except that it does not include—

(i) any subject of His Highness the Maharaja; or

(ii) any ruler or subject of any Indian State; or

(iii) any native of the tribal areas:

(*b*) "prescribed" means prescribed by orders made under this Act;

(*c*) "specified" means specified by directions of a prescribed authority.

Power to make orders.

3. (*1*) The Government may, by order, make provision either generally with respect to all foreigners or with respect to any particular foreigner or any prescribed class or description of foreigner, for prohibiting, regulating or restricting the entry of foreigners into Mysore or their departure therefrom or their presence or continued presence therein.

(2) In particular, and without prejudice to the generality of the foregoing power, orders made under this section may provide that the foreigner–

(a) shall not enter Mysore, or shall enter Mysore only at such times and by such route and at such place and subject to the observance of such conditions on arrival as may be prescribed;

(b) shall not depart from Mysore, or shall depart only at such times and by such route and from such place and subject to the observance of such conditions on departure as may be prescribed;

(c) shall not remain in Mysore, or in any prescribed area therein;

(d) shall remove himself to, and remain in, such area in Mysore as may be prescribed;

(e) shall comply with such conditions as may be prescribed or specified—

(i) requiring him to reside in a particular place;

(ii) imposing any restrictions on his movements;

(iii) requiring him to furnish such proof of his identity and to report such particulars to such authority in such manner and at such time and place as may be prescribed or specified;

(iv) requiring him to allow his photograph and finger impressions to be taken and to furnish specimens of his hand-writing and signature to such authority and at such time and place as may be prescribed or specified;

(v) prohibiting him from association with persons of a prescribed or specified description;

(vi) prohibiting him from engaging in activities of a prescribed or specified description;

(vii) prohibiting him from using or possessing prescribed or specified articles; or

(viii) otherwise regulating his conduct in any such particular as may be prescribed or specified;

(*f*) shall enter into a bond with or without sureties for the due observance of, or as an alternative to the enforcement of, any or all prescribed or specified restrictions or conditions; or

(*g*) shall be arrested and detained or confined; and may make provision for such incidental and supplementary matters as may, in the opinion of the Government, be expedient or necessary for giving effect to this Act.

Internees.

4. (*1*) Any foreigner (hereinafter referred to as an internee) in respect of whom there is in force any order made under clause (g) of sub-section (2) of section 3, directing that he be detained or confined, shall be detained or confined in such place and manner and subject to such conditions as to maintenance, discipline and the punishment of offences and breaches of discipline as the Government may from time to time determine.

(*2*) No person shall—

(*a*) knowingly assist an internee to escape from custody or knowingly harbour an escaped internee; or

(*b*) give an escaped internee any assistance with intent thereby to prevent, hinder or interfere with the apprehension of the internee.

(*3*) The Government may, by order, provide for regulating access to, and the conduct of persons in, places in Mysore where internees are detained and for prohibiting or regulating the despatch or conveyance from outside such places to or for internees therein of such articles as may be prescribed.

(*4*) No proceedings shall be taken by virtue of sub-section (2) or sub-section (3) against any person in respect of any act done by him when he is himself an internee.

Change of name.

5. (*1*) No foreigner who was in Mysore on the date on which this Act came into force shall, while in Mysore after that date, assume or use or purport to assume or use for any purpose any name other than that by which he was ordinarily known immediately before the said date.

(*2*) Where, after the date on which this Act came into force, any foreigner carries on or purports to carry on (whether alone or in association with any other person) any trade or business under any name or style other than

that under which that trade or business was being carried on immediately before the said date, he shall, for the purposes of sub-section (1), be deemed to be using a name other than that by which he was ordinarily known immediately before the said date

(3) In relation to any foreigner who, not having been in Mysore on the date on which this Act came into force, thereafter enters Mysore, sub-sections (1) and (2) shall have effect as if for any reference in those sub-sections to the date on which this Act came into force there were substituted a reference to the date on which he first enters Mysore thereafter.

(4) For the purposes of this section—

(a) the expression "name" includes a surname, and

(b) a name shall be deemed to be changed if the spelling thereof is altered.

(5) Nothing in this section shall apply to the assumption or use—

(a) of any name in pursuance of a Royal Licence or under the orders of His Highness the Maharaja; or

(b) by any married woman, of her husband's name.

Objections on pilots of aircraft.

(6) Any District Magistrate and any Superintendent of Police may, for any purpose connected with the enforcement of this Act or any order made thereunder, enter, with such assistance as he may think fit, any aircraft at any place in Mysore and may—

(a) direct the pilot of the aircraft,

(i) before any passenger disembarks, or before the aircraft leaves such place to furnish a list in writing of the passengers who are on board or who have been carried on board at any time since the aircraft commenced its journey, or who have signified their intention of departing from Mysore on board such aircraft, setting out the places at which they embark, the places of their disembarkation or intended disembarkation, and such other particulars as may be prescribed, and

(ii) to answer to the best of his ability any question relating to the passengers who are on board or who have disembarked in any part of Mysore; and

(*b*) if any foreigner seeking to enter Mysore on board such aircraft does not give satisfactory reasons for entering Mysore, either—

(i) refuse to allow such foreigner to disembark from such aircraft, or

(ii) place him under such restraint as may be prescribed or specified.

Burden of proof.

If any question arises with reference to this Act or any order made or direction given thereunder, whether any person is or is not a foreigner, the onus of proving that such person is not a foreigner shall, notwithstanding anything contained in the Indian Evidence Act, 1872, as in force in Mysore, lie upon such person.

Power to exempt from application of Act.

8. The Government may, by order, declare that any or all of the provisions of this Act, or the orders made thereunder shall not apply, or shall apply only with such modifications or subject to such conditions as may be specified, to or in relation to any individual foreigner.

Power to give effect to orders, directions, etc.

9. (*1*) Any authority empowered by or under or in pursuance of the provisions of this Act to give any direction or to exercise any other power, may, in addition to any other action expressly provided for in this Act, take, or cause to be taken, such steps and use, or cause to be used, such force as may, in its opinion, be reasonably necessary for securing compliance with such direction or for preventing or rectifying any breach thereof, or for the effective exercise of such power, as the case may be.

(*2*) Any police officer may take such steps and use such force as may, in his opinion, be reasonably necessary for securing compliance with any order made or direction given under or in pursuance of the provisions of this Act or for preventing or rectifying any breach of such order or direction.

(*3*) The power conferred by this section shall be deemed to confer upon any person acting in exercise thereof a right of access to any land or other property whatsoever.

Power to delegate authority.

10. Any authority upon which any power to make or give any direction, consent or permission or to do any other act is conferred by this Act or by any order made

thereunder may, unless express provision is made to the contrary, in writing authorise, conditionally or otherwise, any authority subordinate to it to exercise such power on its behalf, and thereupon the said subordinate authority shall, subject to such conditions as may be contained in the authorisation, be deemed to be the authority upon which such power is conferred by or under this Act.

Attempt, etc., to contravene the provisions of the Act, etc.

11. (*1*) Any person who attempts to contravene, or abets, or attempts to abet, or does any act preparatory to, a contravention of, the provisions of this Act or of any order made or direction given thereunder, or fails to comply with any direction given in pursuance of any such order, shall be deemed to have contravened the provisions of this Act.

(*2*) Any person who, knowing or having reasonable cause to believe that any other person has contravened the provisions of this Act or of any order made or direction given thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

(*3*) The pilot of any aircraft by means of which any foreigner enters or leaves Mysore in contravention of any order made under, or direction given in pursuance of, section 3 shall, unless he proves that he exercised all due diligence to prevent the said contravention, be deemed to have contravened this Act.

Penalties.

12. If any person contravenes the provisions of this Act or of any order made thereunder, or any direction given in pursuance of this Act or such order, he shall be punished with imprisonment for a term which may extend to five years and shall also be liable to fine; and if such person has entered into a bond in pursuance of clause (*f*) of sub-section (*2*) of section 3, his bond shall be forfeited, and any person bound thereby shall pay the penalty thereof, or show cause to the satisfaction of the convicting court why such penalty should not be paid.

Protection to persons acting under this Act.

13. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Application to other laws not barred.

14. The provisions of this Act shall be in addition to and not in derogation of the provisions of the

Registration of Foreigners Act, 1940, and of any other enactment for the time being in force.

Savings.

15. (*1*) Notwithstanding the provisions of section 12 of the Mysore Legislative Council Act, 1923, the Foreigners Ordinance, 1939, as applied to Mysore, shall be deemed to have been in force in Mysore till the coming into force of this Act.

(*2*) All orders made, directions given, things done and action taken under the said Ordinance as applied to Mysore, shall be deemed to have been made, given, done or taken under the provisions of this Act as if this Act had come into force on the 2nd day of September 1939, references to the said Ordinance as applied to Mysore, in any rule made under any enactment shall be construed as references to this Act, and offences committed against or proceedings commenced under the said Ordinance, as applied to Mysore may be punished or may be continued and completed as if such offences were committed against or such proceedings were commenced under this Act

MIRZA M. ISMAIL,

Dewan.

Serial No.

1) L.A.Bill No. 8 of 1940, a Bill to provide for the imposition of restrictions on foreigners is put up for perusal.

2) This Bill follows the Foreigners Ordinance,1939, which was promulgated on the 26th August 1939.

3) The Foreigners Ordinance was also applied to Mysore mutatis mutandis by a Notification of the 2nd September 1939 under section 12 of the Legislative Council Act.

4) This Ordinance will expire by efflux of time by the 1st of March 1940 since the Ordinance has force only for six months (section 12 of the L.C.Act).

5) It is for orders whether the Ordinance should not be replaced by a permanent measure. The British Indian Bill provides that the Act should be in force during the present war and six months thereafter.

6) If a Bill has to be placed before the H.A. and the L.C. in the usual course, the earliest time when the Bill can become law will be July while the Ordinance will expir by March.

7) There are two courses open by which the lacuna can be avoided.

8) The Act may be promulgated under section 16 of the L.C.Act as the Defence of India Act and the Registration of Foreigners (Prolongation) Act were done recently.

9) It is also possible to issue these provisions as Rules under the Defence of India Act (vide Statement of Objects and Reasons of the British Indian Bill). One

FOREIGNERS ORDINANCE.

File No.

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inconvenience will be that there will be no corresponde
between the British Indian and our State law on ~~x~~ the
the same subject.

Submitted for orders.

Sone
21.2.4

(10) The alternative marked 'A' may be adopted.

Law Secretary 3 21/2/40

(11) Hm 2 21/2/4

3 22/2/40

) Rm 22/2/40

Hm 2 22/2/4

3 23/2/40

evan)

(13) M 24-2-40

Council matter

7046
24/2/40

T.C.
24.2

Political department in regard to action to be taken by the State is being awaited and in the meantime requesting the Govt to issue a notification continuing the ordinance for the Present.

14) The Ordinance will expire on 1st March 1940 and Residency suggest its Continuance till the Communication from the Political Dept is received about action to be taken in the State.

15) It is doubtful whether operation of an Emergency Act can be continued beyond its life of 6 months by another Emergency Act. The only way this can be done seems to be by taking action under S 16 of the LC Act (His Highness' Prerogative)

16) It would perhaps be better to pass an Act under S 16 of the LC Act replacing the Ordinance and if any changes are necessary in the light of the Communication promised, to amend the Act later. Submitted for orders.

17) A.D.F. It is also put up for orders.

Sd/-
26.2.40.

Laws Secy)

18) Under Section 12 of the Mysore Legislative Council Act, an emergent Act cannot be kept in force for more than 6 months. As the existing law expires on 1st March 1940, there is no time to place the same before the Legislative Council.

The ~~Ordinance~~ Act has now to be passed under Section 16 of the L.C. Act.

D.F.N. Submitted

I Member.)

a) Signed P.N. is placed in ~~file~~ file.

HM 2 26/2/40.

JNW 26/2

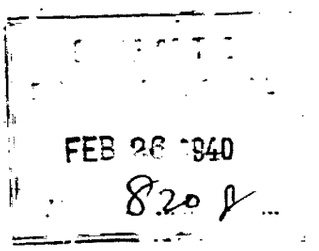
HM 2 27/2/40

GCB 27/2/40

S.N. Submitted

Dewan)

3 27/2/40



Final Note by the First Member of Council.

Subject.—

Promulgation into law of the Foreigners Bill.

10) On 2nd September 1939, a notification was issued applying to Mysore the Foreigners Ordinance promulgated in British India and Or Orders thereunder.

11) In British India, the Ordinance is proposed to be replaced by an Act which is now under the consideration of the Legislative Bodies. This measure as applied to Mysore will, by efflux of time get spent by 1st March 1940. As this is a War measure, it is proposed to promulgate into law an Act under section 16 of the Mysore Legislative Council Act on the lines of the British Indian Bill.

12) The Residency have suggested that the Ordinance may be kept alive in Mysore pending receipt of a communication from the Political Department on this subject. If the communication from the Residency discloses any necessity for a change the Act can be amended later.

13) The Dewan and the Second Member of Council are agreeable to this proposal. I solicit the gracious assent of His Highness to promulgate a Bill on the lines indicated above.

N Madhava Rau

MEMBER OF COUNCIL.

Bangalore,
27th February 1940.

Submitted to His Highness.

24) I submit herewith a Final Note by the First Member of Council on the subject of promulgation into law of the Foreigners Bill for His Highness's gracious approval.

N. Madhava Rau

Bangalore,
27th February 1940.

First Member of Council in charge
of current duties of the Dewan.

Record of Cases submitted for the Orders of

His Highness the Maharaja.

Subject.

Promulgation into law of the Foreigners

Bill.

25)

Order.

~~KRW~~

7/2/40

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N 265

neral and Revenue
Secretariat.

SUBJECT :—

Promulgation into Law of the Foreigners Bill

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

24) Mirzaamjad

Chief Secretary to Government.

~~Through~~ the Secretary to Government,

.....Law.....Department.

FIRST MEMBER OF COUNCIL. (on deputation

SECOND MEMBER OF COUNCIL. (Com

Serial No.

(28) Pending the receipt of the file which has been submitted to His Highness, a draft Bill is put up for approval. The British Indian Bill has been followed subject to a few changes noted below:

(29) Clause 1 (3) has been omitted as the duration of the Act is made dependant on the termination of the War in the British Indian Bill and it may not be expedient to refer to it in an enactment of ours. The Act may be repealed when the British Indian Act ceases to be in force.

(30) In clause 2 (a)"subjects of His Highness the Maharaj are specifically excluded from the definition of -- "foreigner".

(31) In clause 6 reference to the Commissioner of Police is omitted.

(32) In clauses 6 and 11 references to "vessel" and "master of a vessel" are omitted as inapplicable to Mysore. "Aircraft" and "Pilot of an Aircraft" are however retained.

(33) In clauses 7/28 references to foreigners of a particular class or description are omitted. Such references are necessary in British India because of the Foreigners Act, 1864.

(34) Clause 15 (1) is new and is designed to keep the Ordinance alive in Mysore till this Act comes into force.

(35) Another point for consideration is the making of orders and the giving of directions under this Act. A notification has been issued under the Ordinance, as applied to Mysore, declaring that all Foreigners Orders

Foreigners Bill

5265/1939

File No. of 19 . General and Estate Secretariat

Serial No.

mutatis mutandis to Mysore. This was because the original notification on the subject merely applied the British Indian Ordinance to Mysore mutatis mutandis. Now that a complete and independant Act is going to be promulgated in Mysore, the question arises whether British Indian Orders to be made hereafter can be made applicable to Mysore by a general notification or whether each one of them has to be separately made afresh under our Act. His Majesty's Government after the Act is passed.

3b) The Bill and the above points are submitted for orders

Sd/-
2.3.40

3c) The bill may be approved

The Mysore Foreigners Act

5559
P

General and Revenue Secretariat — Legis File No. of 1939 — [App. F. III–2

Serial No.	
8	The previous sanction of His Highness has been accorded to the promulgation of the Act on the 2nd March 1940. (The Bill has been submitted separately for approval.) Submitted if the Bill may be published (as Act no XVI of 1940) A draft G.O. is also put up.
	6-3-40 (39) The bill may be approved. MGV 6/3 Law Secy)
	(40) Hm 2 6/3 MGV 6/3
	Send G.O. P 6139 – Legis 52 – 39-1 dated 9.3.40 directing Publication of the Act as Act XVI of 1940.
11	The Act has appeared in the Gazette Extraordinary of the 16th March 1940.

Expiry of Foreigners Ordinance, 193
'dinance No.I of 1939).

am directed to refer to your letter No.P1369, dated
September 1939.

When the Foreigners Ordinance expires on the 25th
1940, the Government of India propose to replace it by an Act. We are awaiting a communication from the Political Department in regard to the action to be taken by the States on the coming into force of the new Act, and I shall write to you when it is received. In the meantime, the Resident would be grateful if the Government of Mysore will issue a notification continuing their Ordinance for the present.

I have the honour to be,

Sir,

Your most obedient servant.

SECRETARY TO THE RESIDENT.

ACT NO. XVII of 1940.

THE MYSORE FOREIGNERS ACT, 1940.

An Act to provide for the imposition of restrictions on foreigners.

(Received the assent of His Highness the Maharaja on the 22nd day of March 1940)

WHEREAS it is expedient to provide for the imposition of restrictions on the entry of foreigners into Mysore, their presence therein and their departure therefrom;

His Highness the Maharaja is pleased to ~~It is hereby~~ enacted as follows:-

1.(1) This Act may be called the Mysore Foreigners Act,1940

(2) It extends to the whole of Mysore.

2. In this Act, -

(a) "foreigner" has the meaning assigned to it in the Indian Foreigners Act, 1864, except that it does not include -

(i) any subject of His Highness the Maharaja; or

(ii) any ruler or subject of any Indian State; or

(iii) any native of the tribal areas;

(b) "prescribed" means prescribed by orders made under this Act;

(c) "specified" means specified by directions of a prescribed authority.

(1) The Government may, by order, make provision, either generally with respect to all foreigners or with respect to any particular foreigner or any prescribed class or description of foreigner, for prohibiting, regulating or restricting the entry of foreigners into Mysore or their departure therefrom or their presence or continued presence therein.

(2) In particular, and without prejudice to the generality of the foregoing power, orders made under this section may provide that the foreigner -

(a) shall not enter Mysore, or shall enter Mysore only at such times and by such route and at such place and subject to the observance of such conditions on arrival as may be prescribed;

(b) shall not depart from Mysore, or shall depart only at such times and by such route and from such place and subject to the observance of such conditions on departure as may be prescribed;

(c) shall not remain in Mysore, or in any prescribed area therein;

(d) shall remove himself to, and remain in, such area in Mysore as may be prescribed;

(e) shall comply with such conditions as may be prescribed or specified -

(i) requiring him to reside in a particular place;

(ii) imposing any restrictions on his movements;

(iii) requiring him to furnish such proof of his identity and to report such particulars to such authority in such manner ~~xxxxxxxxxx~~ and at such time and place as may be prescribed or specified;

(iv) requiring him to allow his photograph and finger impressions to be taken and to furnish specimens of his hand writing and signature to such authority and at such place and time as may be prescribed or specified;

(v) prohibiting him from association with persons of a prescribed or specified description;

(vi) prohibiting him from engaging in activities of a prescribed or specified description;

(vii) prohibiting him from using or possessing prescribed or specified articles; or

(viii) otherwise regulating his conduct in any such particular as may be prescribed or specified;

(f) shall enter into a bond with or without sureties for the due observance of, or as an alternative to the enforcement of, any or all prescribed or specified restrictions or conditions; or

(g) shall be arrested and detained or confined;

and may make provision for such incidental and supplementary

atters as may, in the opinion of the Government, be expedient
r necessary for giving effect to this Act.

4. (1) Any foreigner (hereinafter referred to as an
ternee) in respect of whom there is in force any order
ade under clause (g) of sub-section (2) of section 3, direct-
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onfined in such place and manner and subject to such condi-
ions as to maintenance, discipline and the punishment of offences
id breaches of discipline as the Government may from time to
me determine.

(2) No person shall -

(a) knowingly assist an internee to escape from custody or knowingly harbour an escaped internee or

(b) give an escaped internee any assistance with intent thereby to prevent, hinder or interfere with the apprehension of the internee.

(3) The Government may, by order, provide for regulating
to, and the conduct of persons in, places in Mysore
internees are detained and for prohibiting or regulating
despatch or conveyance from outside such places to or for
rnees therein of such articles as may be prescribed.

(4) No proceedings shall be taken by virtue of sub-section
or sub-section (3) against any person in respect of any
done by him when he is himself an internee.

5. (1) No foreigner who was in Mysore on the date on which this Act came into force shall, while in Mysore after that date, assume or use or purport to assume or use for any purpose any name other than that by which he was ordinarily known immediately before the said date.

(2) Where, after the date on which this Act came into force, any foreigner carries on or purports to carry on (whether alone or in association with any other person) any trade or business under any name or style other than that under which that trade or business was being carried on immediately befo

have disembarked in any part of Mysore; and

(b) if any foreigner seeking to enter Mysore on board such aircraft does not give satisfactory reasons for entering Mysore, either -

(i) refuse to allow such foreigner to disembar from such aircraft, or

(ii) place him under such restrain as may be prescribed or specified.

7. If any question arises with reference to this Act or any order made/or direction given thereunder, whether any person is or ~~was~~ is not a foreigner, the onus of proving that such person is not a foreigner shall, notwithstanding anything contained in the Indian Evidence Act, 1872 as in force in Mysore, lie upon such person.

8. The Government may, by order, declare that any or al of the provisions of this Act, or the orders made thereunde shall not apply, or shall apply only with such modification or subject to such conditions as may be specified, to or in relation to any individual foreigner or any class or descri tion of foreigner.

9. (1) Any authority empowered by or under or in pursuanc of the provisions of this Act to give any direction or to exercise any other power, may, in addition to any other action expressly provided for in this Act, take, or cause to be taken, such steps and use, or caused to be used, such force as may, in its opinion, be reasonably necessary for securing compliance with such direction or for preventing or rectifying any breach thereof, or for the effective exercise of such power, as the case may be.

(2) Any police officer may take such steps and use such force as may, in his opinion, be reasonably necessary fo securing compliance with any order made or direction given under or in pursuance of the provisions of this Act or for preventing or rectifying any breach of such order or direction.

(3) The power conferred by this section shall be deemed to confor upon any person acting in exercise thereof a right of access to any land or other property whatsoever.

10. Any authority upon which any power to make or give any direction, consent or permission or to do any other act is conferred by this Act or by any order made thereunder may, unless express provision is made to the contrary, in writing authorise, conditionally or otherwise, any authority subordinate to it to exercise such power on its behalf, and thereupon the said subordinate authority shall, subject to such conditions as may be contained in the authorisation, be deemed to be the authority upon which such power is conferred by or under this Act.

11 (1) Any person who attempts to contravene, or abets, or attempts to abet, or does any act preparatory to, a contravention of, the provisions of this Act or of any order made or direction given thereunder, or fails to compy with any direction given in pursuance of any such order, shall be deemed to have contravened the provisions of this Act.

(2) Any person who, knowingly or having reasonable cause to believe that any other person has contravened the provisions of this Act or of any order made or direction given thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

(3) The pilot of any aircraft by means of which any foreigner enters or leaves Mysore in contravention of any order made under, or direction given in pursuance of, section 3 shall, unless he proves that he exercised all due diligence to prevent the said contravention, be deemed to have contravened this Act.

12. If any person contravenes the provisions of this Act or of any order made thereunder, or any direction given in pursuance of this Act or such order, he shall be punished with

imprisonment for a term which may extend to five years and shall also be liable to fine; and if such person has entered into a bond in pursuance of clause (f) of sub-section (2) of section 3, his bond shall be forfeited, and any person bound thereby shall pay the penalty thereof, or show cause to the satisfaction of the convicting court why such penalty should not be paid.

13. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

14. The provisions of this Act shall be in addition to and not in derogation of the provisions of the Registration of Foreigners Act, 1940 and of any other enactment for the time being in force.

15. (1) Notwithstanding the provisions of section 12 of the Mysore Legislative Council Act, 1923, the Foreigners Ordinance, 1939, as applied to Mysore shall be deemed to have been in force in Mysore till the coming into force of this Act.

(2) All orders made, directions given, things done and action taken under the said Ordinance as applied to Mysore, shall be deemed to have been made, given, done or taken under the provisions of this Act as if this Act had come into force on the 2nd day of September 1939, references to the said Ordinance in any rule made under any enactment shall be construed as references to this Act, and offences committed against or proceedings commenced under the said Ordinance, as applied to Mysore may be punished or may be continued and completed as if such offences were committed against or such proceedings were commenced under this Act.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

O R D E R No.P. [illegible]

Dated Bangalore the 7- M

Ordered that the accompanying Act to provi the imposition of restrictions on foreigners which received the assent of His Highness the Maharaja, on the 2nd day of March 1940 be published as Act No.XVI of 1940, in the Mysore Gazette for general information.

9/3/

Secretary to Government
for Law Department.

To

The Compiler, Mysore Gazette for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies as per Standing Orders. Proofs should be sent to this office for approval before publication.

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

Section. Legis
File No. 52-39
Serial No.

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

der No.....P 6/39/Legis

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Ordered that the accompanying ~~Regn.~~ Act to provide for the imposition of restrictions on foreigners

which received the assent of His Highness the Maharaja, on the 2nd day of March 1940, be published as ~~Regulation~~ Act No. XVI of 1940, in the *Mysore Gazette* for general information.

Date of issue.....9.3.40.....

Signed by.....Mr. A.V.N.R

H.H.V.

Secretary to Government.
Law Dept

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(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

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